

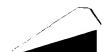
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/424,431	03/16/2000	JOHN W WONG	287300022USA	7974	
759	90 12/17/2002				
THOMAS T MOGA HARNESS DICKEY & PIERCE PO BOX 828 BLOOMFIELD HILLS, MI 48303			EXAMINER		
			MENDOZA, I	MENDOZA, MICHAEL G	
			ART UNIT	PAPER NUMBER	
			3761	3761	
		DATE MAILED: 12/17/2002			

Please find below and/or attached an Office communication concerning this application or proceeding.



	Application No.	Applicant(s)			
Advison, Action	09/424,431	WONG, JOHN W			
Advisory Action	Examiner	Art Unit			
	Michael G. Mendoza	3761			
The MAILING DATE f this communication app	ears on the c ver sheet with the c	orrespondenc address			
THE REPLY FILED 25 November 2002 FAILS TO PLACE Therefore, further action by the applicant is required to a final rejection under 37 CFR 1.113 may only be either: (1 condition for allowance; (2) a timely filed Notice of Appear Examination (RCE) in compliance with 37 CFR 1.114.	void abandonment of this applica) a timely filed amendment which	ation. A proper reply to a			
PERIOD FOR R	EPLY [check either a) or b)]				
a) The period for reply expiresmonths from the mailing by The period for reply expires on: (1) the mailing date of this no event, however, will the statutory period for reply expire ONLY CHECK THIS BOX WHEN THE FIRST REPLY WA 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The fee have been filed is the date for purposes of determining the period fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of (2) as set forth in (b) above, if checked. Any reply received by the Off timely filed, may reduce any earned patent term adjustment. See 37 this period for the filed of the control of the	Advisory Action, or (2) the date set forth later than SIX MONTHS from the mailin S FILED WITHIN TWO MONTHS OF The date on which the petition under 37 CF of extension and the corresponding amount of the shortened statutory period for replying later than three months after the mai	g date of the final rejection. HE FINAL REJECTION. See MPEP R 1.136(a) and the appropriate extension unt of the fee. The appropriate extension originally set in the final Office action; or			
1. A Notice of Appeal was filed on Appellant's 37 CFR 1.192(a), or any extension thereof (37 CF					
2. The proposed amendment(s) will not be entered by	ecause:				
(a) \(\square\) they raise new issues that would require furth	er consideration and/or search (see NOTE below);			
(b) they raise the issue of new matter (see Note	below);				
(c) they are not deemed to place the application issues for appeal; and/or	in better form for appeal by mate	rially reducing or simplifying the			
(d) they present additional claims without cancel	ling a corresponding number of f	inally rejected claims.			
NOTE:	•				
3. Applicant's reply has overcome the following reject	tion(s):				
4. Newly proposed or amended claim(s) would canceling the non-allowable claim(s).	d be allowable if submitted in a se	eparate, timely filed amendment			
5. ☑ The a) ☐ affidavit, b) ☐ exhibit, or c) ☑ request fo application in condition for allowance because: Se		dered but does NOT place the			
6. The affidavit or exhibit will NOT be considered becaraised by the Examiner in the final rejection.	cause it is not directed SOLELY t	o issues which were newly			
7. For purposes of Appeal, the proposed amendmen explanation of how the new or amended claims w					
The status of the claim(s) is (or will be) as follows:					
Claim(s) allowed:					
Claim(s) objected to:					
Claim(s) rejected: <u>15, 17-22</u> .					
Claim(s) withdrawn from consideration:					
8. The proposed drawing correction filed on is	a) approved or b) disapp	roved by the Examiner.			
9. Note the attached Information Disclosure Stateme	ent(s)(PTO-1449) Paper No(s)				
10. Other:					
<u> </u>		GLENN K. i. PRIMARY EXAMINAD			

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Continuation of 5. does NOT place the application in condition for allowance because: Applicants arguments are not pursasive because the cited art in combination teaches the apparatus as claimed. Rienmueller teaches an apparatus for identifying a specific air flow direction and lung volume (8; col. 2, lines 3-4); an apparatus for suspending patient ventialtion (14; col. 2, lines 12-19); and an apparatus for administering radiation therapy during suspension of patient ventilation (1; col. 1, lines 63-65). Nord teaches a ventilator assembly (fig. 1) having a first selectively operable valve adapted to control inhalation (10; col. 2, lines 51-52) and a second selectively operable valve adapted to control exhalation (20; col. 2, lines 63-65). Motivation to combine is found throughout the Nord reference, e.i., col. 1, lines 31-36; col. 1, lines 55-57; col. 2, lines 65-67; col. 4, lines 40-47.